

§ 176.60

be free of all loose materials before cargo handling operations begin.

(c) No debris that creates a fire hazard or a hazardous condition for persons engaged in handling hazardous materials may be on the weather deck of a vessel during loading or unloading operations.

(d) Hatch beams and hatch covers may not be stowed in a location that would interfere with cargo handling.

[Amdt. 176-30, 55 FR 52689, Dec. 21, 1990]

§ 176.60 “No Smoking” signs.

When smoking is prohibited during the loading, stowing, storing, transportation, or unloading of hazardous materials by this part, the carrier and the master of the vessel are jointly responsible for posting “NO SMOKING” signs in conspicuous locations.

§ 176.63 Stowage locations.

(a) The table in §172.101 of this subchapter specifies generally the locations authorized for stowage of the various hazardous materials on board vessels. This part prescribes additional requirements with respect to the stowage of specific hazardous materials in addition to those authorized in §172.101 of this subchapter. This section sets forth the basic physical requirements for the authorized locations.

(b) To qualify as “on deck” stowage, the location must be on the weather deck. If it is in a house on the weather deck, it must have a permanent structural opening to the atmosphere, such as a door, hatch, companionway or manhole, and must be vented to the atmosphere. It may not have any structural opening to any living quarters, cargo, or other compartment unless the opening has means for being closed off and secured. Any deck house containing living quarters, a steering engine, a refrigerating unit, a refrigerated stowage box, or a heating unit may not be used unless that area is isolated from the cargo stowage area by a permanent, and tight metallic bulkhead. Stowage in a shelter or ‘tween deck is not considered to be “on deck”. A barge which is vented to the atmosphere and is stowed on deck on a barge-carrying ship is considered to be “on deck”. When an entry in §172.101 of this subchapter requires “on-deck” stowage

49 CFR Ch. I (10-1-04 Edition)

and is qualified by the requirement “shade from radiant heat”, the stowage must be protected from the direct rays of the sun by means of structural erections or awnings except that such protection is not required for shipment in portable tanks.

(c) To qualify as “under deck” stowage, the location must be in a hold or compartment below the weather deck capable of being ventilated and allotted entirely to the carriage of cargo. It must be bounded by permanent steel decks and bulkheads or the shell of the vessel. The deck openings must have means for effectively closing the hold or compartment against the weather, and in the case of superimposed holds, for effectively closing off each hold. A hold or compartment containing a crew passage formed by battens or by mesh or wire screen bulkhead may not be used for the stowage of any hazardous material unless a watchman is provided for this area.

(d) To qualify as “under deck away from heat”, the location must be under deck and have built-in means for ventilation. If it is subject to heat from any artificial source, it only qualifies for the stowage of those hazardous materials for which “under deck” stowage is authorized.

(e) *Closed cargo transport unit*, for the purpose of stowage of Class 1 (explosive) materials on board a vessel, means a clean, substantial, weatherproof box structure which can be secured to the ship’s structure and includes a closed freight container, a closed vehicle, a closed rail wagon or a portable magazine. When this stowage is specified, stowage in small compartments such as deckhouses and mast lockers or oversized weatherproof packages (overpacks) are acceptable alternatives. The floor of any closed cargo transport unit or compartment shall be constructed of wood, close boarded or arranged so that goods are stowed on sparred gratings, wooden pallets or dunnage. Provided that the necessary additional specifications are met, a closed cargo transport unit may be used for Class 1 (explosive) magazine stowage type “A,” “B” or “C,” but not as a portable magazine.

(f) *Stowage of containers on board hatchless container ships*. (1) Containers

holding a hazardous material may be stowed in or vertically above a hatchless container hold if the following conditions are met:

(1) All hazardous materials are permitted for *under deck* stowage as specified in the Table in §172.101 of this subchapter; and

(2) The hatchless container hold is in full compliance with the provisions of IMO's "International Convention for the Safety of Life at Sea (SOLAS)," Regulation II-2/19 of SOLAS 1974, as amended (incorporation by reference; see §171.7 of this subchapter), applicable to enclosed container cargo spaces, as appropriate for the cargo transported.

[Amdt. 176-1, 41 FR 16110, Apr. 15, 1976, as amended by Amdt. 176-1A, 41 FR 40687, Sept. 20, 1976; Amdt. 176-1B, 41 FR 57072, Dec. 30, 1976; Amdt. 176-12, 45 FR 81572, Dec. 11, 1980; 66 FR 33438, June 21, 2001; 66 FR 45184, Aug. 28, 2001; 68 FR 45038, July 31, 2003]

§ 176.65 Alternative stowage procedures.

When a hazardous material is to be loaded on board a vessel and it is shown to the satisfaction of the Coast Guard Captain of the Port for the place where the vessel is being loaded that it is impracticable to comply with a stowage location requirement specified in the §172.101 table of this subchapter or a segregation, handling or stowage requirement specified in this part, the Captain of the Port may authorize in writing the use of an alternative stowage location or method of segregation, handling or stowage subject to such conditions as he finds will insure a level of safety at least equal to that afforded by the regulatory requirement concerned.

[Amdt. 176-30, 55 FR 52689, Dec. 21, 1990]

§ 176.69 General stowage requirements for hazardous materials.

(a) Hazardous materials (except as provided in paragraph (c) of this section and Class 9 (miscellaneous hazardous) materials) must be stowed in a manner that will facilitate inspection during the voyage, their removal from a potentially dangerous situation, and the removal of packages in case of fire.

(b) Each package marked in accordance with §172.312(a)(2) of this sub-

chapter must be stowed as to remain in the position indicated during transportation.

(c) If a vessel designed for and carrying hazardous materials in freight containers or a vessel designed for and carrying hazardous materials in barges is equipped with a fixed fire extinguishing and fire detection system, the freight containers or barges need not be stowed in the manner required by paragraph (a) of this section. When freight containers or barges containing hazardous materials are stowed on deck, they need not be stowed in the manner required by paragraph (a) of this section if fire fighting equipment capable of reaching and piercing the freight container or barge is on board the vessel.

(d) Packages of hazardous materials must be secured and dunnaged to prevent movement in any direction. Vertical restraints are not required if the shape of the package and the stuffing pattern preclude shifting of the load.

(e) Packages of hazardous materials must be braced and dunnaged so that they are not likely to be pierced by the dunnage or crushed by a superimposed load.

[Amdt. 176-1, 41 FR 16110, Apr. 15, 1976, as amended by Amdt. 176-1A, 41 FR 40687, Sept. 20, 1976; Amdt. 176-12, 45 FR 81573, Dec. 11, 1980; Amdt. 176-30, 55 FR 52689, Dec. 21, 1990; 56 FR 66282, Dec. 20, 1991]

EFFECTIVE DATE NOTE: At 68 FR 61942, Oct. 30, 2003, §176.69 was amended in paragraph (d) by revising the word "movement" to read "shifting", effective Oct. 1, 2004. At 69 FR 30588, May 28, 2004, the effective date was delayed until Jan. 1, 2005.

§ 176.70 Stowage requirements for marine pollutants.

(a) Marine pollutants must be properly stowed and secured to minimize the hazards to the marine environment without impairing the safety of the ship and the persons on board.

(b) Where stowage is permitted "on deck or under deck", under deck stowage is preferred except when a weather deck provides equivalent protection.

(c) Where stowage "on deck only" is required, preference should be given to stowage on well-protected decks or to